

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BON VIVANT CATERING, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	1:13CV728
)	
CORE CATERING, INC., et al.,)	
)	
Defendants.)	

ORDER

On August 25, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636 (ECF Nos. 58, 59). Defendant Duke University filed Objections (ECF No. 62) within the time limit prescribed by Section 636. The Court has reviewed Defendant Duke University's Objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (ECF No. 58), which is hereby affirmed and adopted.

Having overruled Defendant Duke University's Objections, the Court finds that Plaintiffs' Unopposed Motion for Extension of Time to respond to the objections (ECF No. 64) should be denied as moot. In addition, pursuant to this Order, Plaintiffs will be given fourteen (14) days to re-file the Second Amended Complaint, and Defendants may respond within the time allowed by Federal Rule of Civil Procedure 15(a)(3). As such, the Stipulated Joint Motion to Correct Docket and Pleadings (ECF No. 65) is also moot.

IT IS THEREFORE ORDERED that Plaintiffs' Unopposed Motion for Extension of Time (ECF No. 64) and the Joint Motion to Correct Docket and Pleadings (ECF No. 65) are DENIED as moot, and Defendant Duke University's Motion to Dismiss Complaint (ECF No. 39) is GRANTED IN PART AND DENIED IN PART in that Plaintiff shall, within 14 days of the entry of this Order, amend its Complaint to add Laura Hall as a Plaintiff, but the Motion to Dismiss is otherwise DENIED, without prejudice to further consideration of the issues raised therein on subsequent dispositive motions at the close of discovery.

This, the 29th day of September, 2015.

/s/ Loretta C. Biggs
United States District Judge